

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 1981 – SB 2226**

March 24, 2014

**SUMMARY OF ORIGINAL BILL:** Creates the “Healthy Workplace Act” which prohibits workplace harassment, intimidation, or bullying and provides civil legal relief for employees who have been harmed by such actions in the workplace. Authorizes the Commissioner of Labor and Workforce Development (DLWD) to administer the Act, assess civil penalties under certain circumstances, and to promulgate rules and regulations. Requires employers, in consultation with DLWD, to adopt a policy prohibiting harassment, intimidation, or bullying by July 1, 2014. Sets forth information to be included in such policies.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures - \$106,000/One-Time  
\$289,300/Recurring

**IMPACT TO COMMERCE OF ORIGINAL BILL:**

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (014870):** Deletes all language after the enacting clause. Creates the “Healthy Workplace Bill” for the purpose of providing legal relief for employees who have been harmed by deliberate exposure to abusive work environments and legal incentive for employers to prevent and respond to abusive mistreatment of employees at work. Defines terms and unlawful practices. Provides for civil remedies for those found in violation of the bill. Sets effective date of July 1, 2014.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

NOT SIGNIFICANT

Assumptions for the bill as amended:

- According to information provided by the Administrative Office of the Courts, any increase in case load due to passage of this legislation could be absorbed by current court resources.

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- According to DLWD, the proposed amendment will remove any fiscal impact related to the Department that was estimated on the fiscal note for the original bill.
- The majority of any fiscal impact arising from passage of this amended bill will be borne by private parties.

## **IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:**

### **NOT SIGNIFICANT**

Assumptions for the bill as amended:

- Subjecting employers to the possibility of additional civil actions will increase business expenditures for Tennessee businesses. However, any such increases are estimated to be not significant.
- No change in business revenue as a result of this bill as amended.
- Any net impact to Tennessee jobs is considered not significant.

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

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